

In the
Indiana Supreme Court



IN THE MATTER OF) Supreme Court No. 39S00-0905-MS-248
)
Jefferson County Petition)
)
For Emergency Relief.) Case No. 39CO1-0905-MI-2009
)
) in the Jefferson Circuit Court
)

ORDER GRANTING PETITION FOR EMERGENCY RELIEF FOR JEFFERSON COUNTY
COURTS AND CLERK

The judges of the Jefferson Circuit and Superior Courts have petitioned this Court, on their behalf and on behalf of the Clerk of the Jefferson Circuit Court, for emergency relief under Administrative Rule 17. The judges state that on May 20-21, 2009, a fire extensively damaged the Jefferson County courthouse, rendering the courts' and clerk's offices unusable. The judges seek emergency relief from May 21, 2009 until noon, June 5, 2009. This Court, being duly advised, now finds that the Jefferson County courthouse has sustained fire damage, which has left the Jefferson County courtrooms and Clerk's office unusable. The offices will remain unusable until alternate facilities are secured and/or appropriate repairs are made. In light of this, we find that good cause exists for granting the emergency relief sought by the Jefferson County judges.

IT IS, THEREFORE, ORDERED THAT the petition is hereby granted and that:

1. This Court authorizes the tolling, from 12 a.m. May 21, 2009 until 12 noon June 5, 2009, of all laws, rules and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and appellate matters; all judgments, support and other orders; and in all other civil and criminal matters before the Jefferson Circuit and Superior Courts. In addition, no interest shall be due or charged during this tolled period of time.
2. This Court authorizes petitioners to move the courts' and clerk's location to another appropriate facility in order to continue the orderly administration of justice. The petitioners shall provide to the Supreme Court the address and location of such facility by

no later than June 5, 2009. In accord with I.C. 33-33-39-3, the Jefferson Superior Court shall conduct its sessions in Madison, Indiana.

3. This Court authorizes each of the judges of the Jefferson Circuit and Superior Courts to exercise general jurisdiction over any and all cases in each other's courts in order to assure the continued orderly administration of justice.
4. This Court authorizes the closing of the Clerk's office and the courts, starting today, May 21, 2009, and until 12 noon June 5, 2009. To the extent possible, if appropriate space becomes available to open a court earlier than June 5, 2009, the petitioners shall open a court to process emergency matters only.
5. The petitioners shall communicate with the Jefferson County Bar and public and shall make arrangements to be available to deal with emergency and other pressing matters.
6. Petitioners shall assure during the period the courts' and clerk's offices are closed that appropriate records are maintained of any proceedings, filings and order and shall cause this information to be entered in the Chronological Case Summary and Record of Judgments and Orders as soon as they are operational.

IT IS FURTHER ORDERED, THAT the Clerk of this Court shall forward a copy of this Order to the Clerk of Jefferson Circuit Court by regular means and by fax transmission to the fax number provided by the petitioners. The Clerk of the Jefferson Circuit Court and Petitioners shall make this Order available to the bar and public and, when able to do so, shall enter it in the Record of Judgments and Orders.

DONE at Indianapolis this 21st day of May, 2009.

Randall T. Shepard

Randall T. Shepard
Chief Justice of Indiana